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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ARISTOCRAT TECHNOLOGIES, INC.
and ARISTOCRAT TECHNOLOGIES
AUSTRALIA PTY LTD.,

Plaintiff,

v.

LIGHT & WONDER, INC., LNW
GAMING, INC., and SCIPLAY
CORPORATION,
Defendant.

Case No. 2:24-cv-00382-GMN-MDC

**DEFENDANTS' RESPONSE IN PARTIAL
SUPPORT OF PLAINTIFFS' MOTION
FOR LEAVE TO FILE UNDER SEAL**

Pursuant to LR IA 10-5 of the Local Rules of the District of Nevada, Defendants Light & Wonder, Inc., LNW Gaming, Inc., and SciPlay Corporation (collectively “L&W”) respectfully submit this response in support of Plaintiffs Aristocrat Technologies, Inc. and Aristocrat Technologies Australia Pty Ltd.’s (“Aristocrat”) Motion for Leave to File Under Seal Portions of Plaintiffs’ Motion for Leave to Submit Supplemental Briefing in Support of Plaintiffs’ Motion to Modify Second Amended Stipulated Discovery Plan and Scheduling Order. ECF No. 274.

MEMORANDUM OF POINT AND AUTHORITIES

L&W joins Aristocrat’s request to seal Exhibit B.1 to the Swanson Declaration, which was filed with Plaintiffs’ Motion for Leave to Submit Supplemental Briefing in Support of Plaintiffs’ Motion to Modify Second Amended Stipulated Discovery Plan and Scheduling Order (“Supplemental Briefing Motion”). ECF No. 273. L&W further requests that the Court seal certain portions of the Supplemental Briefing Motion, Aristocrat’s Supplemental Brief, as well Exhibits B.2 and B.4 to the Swanson Declaration.

Sealing is warranted upon a showing of “good cause” where, as here, the sealing relates to a “discovery motion unrelated to the merits of a case.” *Ctr. for Auto Safety v. Chrysler Grp., LLC*, 809 F.3d 1092, 1097–98 (9th Cir. 2016); *see also* ECF No. 195 at 1 (“Since this is a discovery issue, the lower ‘good cause’ standard applies in this instance to seal the information in question.”) citing *Kamakana v. City & Cnty. of Honolulu*, 447 F.3d 1172, 1179–80 (9th Cir. 2006)). This is because “[m]aterials submitted to a court for its consideration of a discovery motion are actually one step further removed in public concern from the trial process than the discovery materials themselves.” *United States v. Sleugh*, 896 F.3d 1007, 1015 (9th Cir. 2018) (internal quotations omitted). Therefore, “[f]or good cause to exist, the party seeking protection bears the burden of showing specific prejudice or harm will result if no protective order is granted.” *Phillips v. General Motors Corp.*, 307 F.3d 1206, 1210–11 (9th Cir. 2002).

Good cause exists to seal certain portions of the Supplemental Briefing Motion, Aristocrat’s Supplemental Brief, and Exhibits B.1, B.2, and B.4 to the Swanson Declaration. These materials contain non-public, competitively sensitive development and math information concerning L&W’s games. Redacted portions of the Motion and Aristocrat’s Supplemental Brief

1 contain nonpublic details relating to the development and math of several L&W games, including
 2 certain unreleased games. And Exhibits B.1, B.2, and B.4 each contain nonpublic information
 3 about L&W's internal processes for game development, as well as nonpublic information about
 4 the mathematical design of unreleased L&W games.

5 The unprotected disclosure of L&W's internal game development processes to competitors
 6 would result in economic or competitive injury to L&W. Even a "glimpse" into business and
 7 development strategies could harm L&W's "competitive standing." *See Rimini St., Inc. v. Oracle*
 8 *Int'l Corp.*, 2019 WL 2358389, at *1–2 (D. Nev. June 4, 2019). And information "about
 9 unreleased products" should be sealed because competitors could use the information "to position
 10 themselves to undercut" L&W. *See Apple, Inc. v. Samsung Elecs. Co.*, 2012 WL 5988570 (N.D.
 11 Cal. Nov. 29, 2012), *rev'd and remanded on other grounds*, 727 F.3d 1214 (Fed. Cir. 2013).
 12 Accordingly, the Court has previously permitted sealing similar information, *see e.g.*, ECF No.
 13 100 at 1 n.1; ECF No. 110, ECF No. 137, ECF No. 190 at 1 n.1, and L&W respectfully requests
 14 that it do so again here.

15 L&W takes no position on the sealing of any Aristocrat information that Aristocrat seeks
 16 to seal in the Motion.

17 Dated: September 2, 2025

18 By: /s/ Philip R. Erwin

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CERTIFICATE OF SERVICE

I hereby certify that on the 2nd day of September, 2025, I caused a true and correct copy of the foregoing **DEFENDANTS' RESPONSE IN PARTIAL SUPPORT OF PLAINTIFFS' MOTION FOR LEAVE TO FILE UNDER SEAL** to be served electronically via electronic mail to the addresses of the following counsel of record:

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